

MARIS BALTINS  
LAW OFFICES OF MARIS BALTINS, P.S.  
7 S. Howard, Suite 220  
Spokane, WA 99201  
Telephone: (509) 444-3336  
Attorneys for Plaintiff  
E-mail: mbaltins@baltinslaw.com

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

CHARLES C. SUNG, MD, a married man,

**Plaintiff,**

VS.

MISSION VALLEY RENEWABLE ENERGY, LLC, a Delaware limited liability company doing business in the State of Washington; FEDERAL DEPOSIT INSURANCE CORPORATION as Receiver for Bank of Whitman; WILLIAM McKAY and CYNTHIA McKAY, individually and the marital community,

No. 11-CV-5163-RMP

## DECLARATION OF MARIS BALTINS

### Defendants.

The undersigned, Maris Baltins, hereby declares under penalties of perjury of the laws of the United States that:

**DECLARATION OF  
MARIS BALTINS - 1**

**LAW OFFICES OF  
MARIS BALTIMS, P.S.**  
Attorneys at Law  
7 South Howard, Suite 220  
Spokane, WA 99201  
one: 509-444-3336 • Fax: 509-444-3337

1       1. I am the attorney for Charles C. Sung, MD, the plaintiff in the above-  
2 captioned matter. I make this Declaration on personal knowledge and am competent to  
3 testify thereto.  
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5       2. Attached hereto as Exhibit "A" is a true and correct copy of the District  
6 Court Miscellaneous Fee Schedule effective May 1, 2013 promulgated by the Judicial  
7 Conference of the United States. The Fee Schedule was obtained from the United States  
8 Courts website (<http://www.uscourts.gov/Home.aspx>).  
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10      3. Attached hereto as Exhibit "B" is a true and correct reproduction of the  
11 spreadsheet submitted by defendants William and Cynthia McKay itemizing their copy  
12 and duplication costs (ECF No. 207 at 11-14). The spreadsheet has been modified by  
13 including an index column to facilitate identification of the various entries.  
14

15      4. On October 5, 2012, McKay, though his counsel, took the deposition of Dr.  
16 Sung's expert, Professor Jennifer J. Johnson. The fee charged by Professor Johnson to  
17 prepare for and attend her deposition totaled \$5,666.20. The invoice was sent to Mr.  
18 Davis. To date, McKay has refused to pay the invoice. Attached hereto as Exhibit "C"  
19 is a true and correct copy of The Bates Group invoice no. 13393 itemizing the fees  
20 charged by Professor Johnson in connection with her deposition.  
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22      //  
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24      25 DECLARATION OF  
26 MARIS BALTINS - 2

27      LAW OFFICES OF  
28 MARIS BALTINS, P.S.  
29      Attorneys at Law  
30      7 South Howard, Suite 220  
31      Spokane, WA 99201  
32      Phone: 509-444-3336 • Fax: 509-444-3335

1 DATED this 24<sup>th</sup> day of September, 2013.  
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s/ Maris Baltins  
MARIS BALTINS

DECLARATION OF  
MARIS BALTINS - 3

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## **CERTIFICATE OF SERVICE**

I hereby certify that on September 24, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send Notification of such filing to the following parties:

Mark K. Davis  
Colin J. Troy  
Badgley Mullins Turner PLLC  
701 5th Avenue, Suite 4750  
Seattle, WA 98104

Kevin J. Curtis  
David P. Gardner  
Winston & Cashatt, P.S.  
601 W. Riverside, Suite 1900  
Spokane, WA 99201

DATED this 24<sup>th</sup> day of September, 2013.

s/ Seth Thompson  
Seth Thompson

**DECLARATION OF  
MARIS BALTINS - 4**

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